

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory A Sebald on June 3, 2008.

The application has been amended as follows:

In claim 3, in line 2, after "mounting" deleted " , the" and replaced with --the rail to the mounting surface, each--.

In claim 4, in line 1, after "wherein" deleted "the" and replaced with --each--.

In claim 4, line 2, after "mounting" inserted --the rail to the mounting surface--.

In claim 5, in line 2, after "resilient" deleted "lip is" and replaced with --lips are--.

In claim 6, in line 2, before "of the second" deleted "of the resilient lip" and replaced with --of each of the resilient lips--.

In claim 7, in line 1, after "wherein" inserted --each--.

In claim 8, in line 2, after "mounting" inserted --the rail to the mounting surface--.

In claim 11, in line 2, after "mounting" inserted --the rail to the mounting surface--.

In claim 11, in line 3, after "front end of" deleted "the" and replaced with --each--.

In claim 14, in line 3, after "mounting" inserted --the rail to the mounting surface--.

In claim 17, in line 2, after "extending rail" deleted "to be".

In claim 17, in line 3, after "curtain therefrom" inserted -- , the rail including a first groove, and a second groove configured to receive curtain runners attached to said curtain--.

In claim 17, in line 8, after "after mounting" inserted --the rail to the mounting surface--.

In claim 17, in line 8, after "is coupled to the rail" inserted --in the first groove--.

In claim 17, in line 12, after "retaining elements, the" deleted "retaining elements disconnect" and replaced with --first and second retaining elements disconnect from each other--.

In claim 17, in line 13, after "integrally forms a" deleted "resilient lip" and replaced with --plurality of circumferentially arranged resilient lips--.

In claim 17, in line 15, before "to effect said detachable" deleted "lip" and replaced with --lips--.

In claim 17, in line 16, after "after mounting" inserted --the rail to the mounting surface--.

In claim 17, in lines 17-18, after "retaining element" deleted "and wherein the second retaining element comprises a" and replaced with --defined by the resilient lips and wherein the--.

In claim 17, in line 18, after "plurality of resilient lips" deleted "extending" and replaced with --extend--.

In claim 17, in line 19, before "a constriction of" deleted "for forming" and replaced with --to form--.

In claim 17, in line 19, after “retaining element” inserted “--to retain the first retaining element within said passage in a couple position, and wherein the plurality of resilient lips deform radially outward to detach the first retaining element from said passage and the coupled position--”.

In claim 20, in line 1, after “wherein” deleted “the” and replaced with “--each--”.

In claim 21, in line 2, after “the resilient” deleted “lip” and replaced with “--lips--”.

In claim 22, in line 2, after “the resilient” deleted “lip” and replaced with “--lips--”.

In claim 23, in line 1, after “wherein” deleted “the” and replaced with “--each--”.

In claim 23, in line 2, after “element and radially” deleted “outward” and replaced with “--inward--”.

2. The following is an examiner’s statement of reasons for allowance:

Froment et al. (US 5,791,382) disclose the claimed rail system with the exception of comprising a horizontally extending rail suspended from a mounting surface, wherein the rail is configured to suspend a curtain therefrom, the rail including a first groove, and a second groove configured to receive curtain runner attached to the curtain; wherein after mounting the rail to the mounting surface, one of the retaining elements is coupled to the rail in the first groove and the other of the retaining elements is connected to the mounting surface, the first and second retaining elements being detachably connected to each other such that, under influence of a tensile force applied to the retaining elements, the first and second retaining elements disconnect from each other, wherein the plurality of resilient lips extend obliquely towards each other to form a constriction of

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the passage of the second retaining element to retain the first retaining element within the passage in a coupled position, and wherein the plurality of resilient lips deform radially outward to detach the first retaining element from the passage.

There is no teaching or suggestion, absent the applicant's own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the rail system disclosed by Froment et al. to have the above mentioned elemental features. Furthermore, such modifications would yield unexpected and unpredictable results.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL P. FERGUSON whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (6:30am-3:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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MPF  
06/03/08

/Michael P. Ferguson/  
Primary Examiner, Art Unit 3679